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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,162	12/18/2001	Katsumi Toyama	450100-03682	6455
20999	7590	12/10/2004	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			PAPE, ZACHARY	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 12/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/024,162

Applicant(s)

TOYAMA ET AL.

Examiner

Zachary M. Pape

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12/18/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12-18-2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Specification***

1. The disclosure is objected to because of the following informalities: it is unclear what is meant by the phrase "chewing-gum batteries" (Page 12, Line 10; Page 14 Line 25).

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1- 8 rejected under 35 U.S.C. 102(b) as being anticipated by Wallace et al. (Patent # 5,933,328). With respect to claim 1, Wallace et al. teaches the use of a memory card drive body (11) having a memory interface (45, 45a), a first memory card slot (Defined by the four sidewalls of element 39) provided in the memory card body, and a memory card (43) detachably accommodated in the memory card slot into and from which digital information is recorded and played back through the memory interface (Column 3, Lines 15 – 22). Wallace et al. further discloses a second memory card slot (73) having a memory interface (29a, 30a, 31a, etc.) provided in the memory card drive body (11), a second memory card (23) detachably accommodated in the

memory card slot (73) into and from which digital information is recorded and played back through the memory interface.

With respect to claim 2, Wallace et al. further teaches that the memory card slots (defined by the four sidewalls of element 39, & slot 73) is provided in a memory card tray (39) that is loaded into and unloaded from the memory card drive body. (Column 3, Lines 54 – 57; Column 3, Lines 60-63).

With respect to claim 3, Wallace et al. teaches the limitations as applied to claim 1 above and further teaches that the memory card drive (11) is portable. (Column 1, Lines 22 – 26)

With respect to claim 4, Wallace et al. teaches that the portable memory card drive body includes a power supply (Fig 3, element 13; Column 5, Line 30 - 32).

With respect to claim 5, Wallace et al. further teaches that the memory card slot is provided in a memory card tray (39) that is loaded into and unloaded from the memory card drive body. (Column 3, Lines 54 – 57). Additionally memory card 23 is also recessed into a memory card slot (73) within a tray that is unloaded into and unloaded from the memory card drive body (Column 3, Lines 60-63).

With respect to claim 6, Wallace et al. further teaches that an opening/closing cover (Tray 39) pivotally attached to the portable memory card drive body (Column 4, Lines 8-10), for movement between an open position in which the memory card is exposed and a closed position in which the opening/closing cover (Tray 39) covers the memory card. (Column 3, Lines 54-57).

With respect to claim 7, Wallace et al. further teaches that a power supply (Column 5, Line 30 - 32) is a battery.

With respect to claim 8, Wallace et al. further teaches that the portable electronic device is a cell phone (Column 3, Line 33) and further teaches that the telephone has the usual removable battery (Fig 3 element 13; Column 2, Lines 48-49).

With respect to claim 9, Wallace et al. further illustrates that the power supply (13) is at least one battery that is included in a portable holder (defined by the sidewalls of element of 13), detachably attached to the portable memory card drive body (Fig 3 illustrates the device with the battery attached, Figure 4 illustrates the device with the battery unattached).

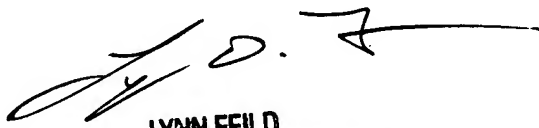
### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zachary M. Pape whose telephone number is 571-272-2201. The examiner can normally be reached Mon. - Thur. & every other Fri. (8:00am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached at 571-272-2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ZMP



LYNN FELD  
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